

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

BRENDA CHAMBERS,)
)
Plaintiff,)
)
v.) CIVIL ACTION 2:07cv436-TFM
)
MICHAEL J. ASTRUE,)
COMMISSIONER OF SOCIAL SECURITY,)
)
Defendant.)

ORDER

This case is now before the Court on an *Application for Attorney Fees Under the Equal Access to Justice Act* (EAJA) submitted by Plaintiff's attorney (Doc. #19-7, filed February 26, 2008). Judgment in this case was entered in favor of plaintiff upon remand pursuant to sentence four of 42 U.S.C. § 405(g) (Doc. #18, filed December 3, 2007). *Defendant's Response to Plaintiff's Application*. . ., (Doc. #21, filed March 10, 2008), informs the court that it has no objection to the requested fee award of \$4,241.91, but does object to counsel's request that fees be issued directly to her, rather than directly to Plaintiff.

Upon review, the Court determines that the Plaintiff's application for an award of attorney fees and costs under EAJA is timely filed, that Plaintiff has met the requisite prevailing party status entitling her to an award of fees, and that the terms of the award agreed upon by the parties are reasonable. The Court further finds that the Defendant has

correctly cited the EAJA text which limits fee payments to the “prevailing party.”

Accordingly, it is the ORDER, JUDGMENT, and DECREE of this Court that the plaintiff's application for an award of fees and expenses under the Equal Access to Act to Justice Act is GRANTED in the total amount of \$ 4, 241.91, and that said amount be issued directly to Plaintiff.

Done this 12th day of March, 2008.

/s/Terry F. Moorer
TERRY F. MOORER
UNITED STATES MAGISTRATE JUDGE